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## IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In Re Application of: )  
Balmer et al. )  
Examiner: NOT YET ASSIGNED  
Serial No.: 09/977,175 )  
Group Art Unit: 1725  
Filed: October 12, 2001 )  
Docket No.: A148 1610.1  
Confirmation No.: 2853 )  
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ORIGINALLY FILED  
For: THREE DIMENSIONAL WELDING ROD )  
AND SURFACE COVERING )

**RESPONSE TO NOTICE TO FILE MISSING PARTS OF**  
**NONPROVISIONAL APPLICATION**

Assistant Commissioner of Patents  
Box Missing Parts  
Washington, D.C. 20231

Sir:

In response to the Notice to File Missing Parts of Nonprovisional Application mailed November 15, 2001, Applicants submit the following: (1) Declaration and Power of Attorney for Patent Application; (2) \$130.00 fee; and (3) Formalities Letter, Notice to File Missing Parts of Nonprovisional Application, Part 2.

The Commissioner is hereby authorized to charge any fee deficiencies or credit any overpayment to our Deposit Account No. 09-0528.

Respectfully submitted,

Steven L. Schmid  
Registration No. 39,358

Womble Carlyle Sandridge & Rice, PLLC  
P.O. Box 7037  
Atlanta, GA 30357-0037  
(404) 962-7539 (Telephone)  
(404) 870-8234 (Facsimile)

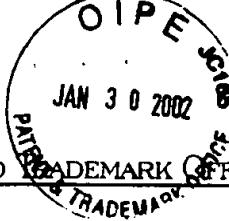
**Certificate of Mailing**

I hereby certify that this correspondence is being deposited with the United States Postal Service as first class mail in an envelope addressed to: Box Missing Parts, Assistant Commissioner for Patents, Washington, D.C. 20231 on:

January 7, 2002  
Cheryl West



UNITED STATES PATENT AND TRADEMARK OFFICE



COMMISSIONER FOR PATENTS  
UNITED STATES PATENT AND TRADEMARK OFFICE  
WASHINGTON, D.C. 20231  
www.uspto.gov

APPLICATION NUMBER	FILING/RECEIPT DATE	FIRST NAMED APPLICANT	ATTORNEY DOCKET NUMBER
09/977,175	10/12/2001	Richard H. Balmer	A148 1610.1

Womble Carlyle Sandridge & Rice, PLLC  
P.O. Box 7037  
Atlanta, GA 30357-0037

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CONFIRMATION NO. 2853

FORMALITIES LETTER



\*OC000000007077930\*

Date Mailed: 11/15/2001

**NOTICE TO FILE MISSING PARTS OF NONPROVISIONAL APPLICATION**

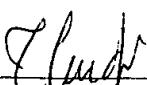
**FILED UNDER 37 CFR 1.53(b)**

***Filing Date Granted***

An application number and filing date have been accorded to this application. The item(s) indicated below, however, are missing. Applicant is given **TWO MONTHS** from the date of this Notice within which to file all required items and pay any fees required below to avoid abandonment. Extensions of time may be obtained by filing a petition accompanied by the extension fee under the provisions of 37 CFR 1.136(a).

- The oath or declaration is missing.  
*A properly signed oath or declaration in compliance with 37 CFR 1.63, identifying the application by the above Application Number and Filing Date, is required.*
- To avoid abandonment, a late filing fee or oath or declaration surcharge as set forth in 37 CFR 1.16(l) of \$130 for a non-small entity, must be submitted with the missing items identified in this letter.
- **The balance due by applicant is \$ 130.**

*A copy of this notice **MUST** be returned with the reply.*

  
Customer Service Center  
Initial Patent Examination Division (703) 308-1202

PART 2 - COPY TO BE RETURNED WITH RESPONSE